

## 48A C.J.S. Judges § 97

Corpus Juris Secundum | August 2023 Update

### Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D.; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

## IV. Standards of Conduct; Restrictions and Prohibitions

### B. Nature of Conduct Proscribed or Prohibited

#### 2. Political Activity

### § 97. Generally

[Topic Summary](#) | [References](#) | [Correlation Table](#)

#### West's Key Number Digest

West's Key Number Digest, [Judges](#)  11(1), 11(2), 21

### Generally, political activity should be avoided by a judge.

A judge's involvement in political activity diminishes his or her ability to maintain independence on the bench.<sup>1</sup> Consequently, political activity should be avoided by a judge.<sup>2</sup> Judicial independence and neutrality require judges to limit or abstain from involvement in political activities commonly enjoyed by others in the community.<sup>3</sup>

In some jurisdictions, canons of judicial ethics prohibit a judge from engaging in political activity,<sup>4</sup> and the judge has a duty to avoid the perception that he or she is participating in political activity.<sup>5</sup>

Beyond voting, judges must generally eschew most political connections, and the exceptions are political activities geared toward improving the law, the legal system, or the administration of justice.<sup>6</sup>

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## Footnotes

- 1 Fla.—*In re Glickstein*, 620 So. 2d 1000 (Fla. 1993).
- 2 U.S.—*Wersal v. Sexton*, 674 F.3d 1010 (8th Cir. 2012), cert. denied, 133 S. Ct. 209, 184 L. Ed. 2d 40 (2012).  
Fla.—*In re Turner*, 573 So. 2d 1 (Fla. 1990).  
Ind.—*Matter of Katic*, 549 N.E.2d 1039 (Ind. 1990).
- 3 Iowa—*In re Inquiry Concerning McCormick*, 639 N.W.2d 12 (Iowa 2002).
- 4 N.J.—*In re Hayden*, 41 N.J. 443, 197 A.2d 353 (1964).
- 5 Okla.—Judicial Ethics Opinion 2000-7, 2000 OK JUD ETH 7, 73 P.3d 262 (Okla. Jud. Eth. 2000).
- 6 Iowa—*In re Inquiry Concerning McCormick*, 639 N.W.2d 12 (Iowa 2002).  
  
As to permissible political activity in election campaign of judge, see § 98.  
  
**Partisan political activities**  
Wash.—*Matter of Staples*, 105 Wash. 2d 905, 719 P.2d 558 (1986).